

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
J. Horoszewicz

Serial No. 07/202,869

Filed: June 3, 1988

**For: MONOCLONAL ANTIBODIES  
TO A NEW ANTIGENIC  
MARKER IN EPITHELIAL  
PROSTATIC CELLS AND  
SERUM OF PROSTATIC  
CANCER PATIENTS**

Group Art Unit: 186

Examiner:  
Paula Hutzell, Ph.D.

Attorney Docket No. 1101-086

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**DECLARATION OF JULIUS S. HOROSZEWICZ  
UNDER 37 C.F.R. § 1.132**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**SIR:**

I, JULIUS S. HOROSZEWICZ, declare and state as follows:

1. I am a co-author of the article by J.S. Horoszewicz, E. Kawinski and G.P. Murphy entitled "Monoclonal Antibodies to a New Antigenic Marker in Epithelial Prostatic Cells and Serum of Prostatic Cancer Patients", Anticancer Research 7: 927-936 (1987) [herein referred to as the "Article"].

2. Dr. Susan S. Leong is described on page 928 of the Article as producing hybridoma cultures by fusion of murine myeloma cells with spleen cells of LNCaP immunized mice according to standard procedure.

3. Dr. Leong was a post-doctoral student working in my laboratory under my direction and supervision at the time she produced the monoclonal antibody secreting hybridoma cultures described in the Article. I gave the instructions and provided conceptual support for her and other technical personnel to produce, analyze and

characterize the different hybridoma cultures and the monoclonal antibodies produced that are described in the Article.

4. I provided Dr. Leong the appropriate antigen for immunization. At my request, she performed routine and standard procedures of cell fusion and preliminary screening. In particular, Dr. Leong made no contribution to the conception of the cloning of hybridoma 7E11C5. Dr. Leong did not wish to be and was not a co-author of the article nor is she an inventor of any of the subject matter described in the Article.

5. Accordingly, to the extent that the Article discloses the invention claimed in United States Patent Application Serial No. 07/202,869, filed June 3, 1988, entitled MONOCLONAL ANTIBODIES TO A NEW ANTIGENIC MARKER IN EPITHELIAL CELLS AND SERUM OF PROSTATIC CANCER PATIENTS, Dr. Leong did not conceive such subject matter in the Article and is not a co-inventor of such invention.

6. Dr. Kawinski and Dr. Murphy did not conceive such subject matter in the Article and are not co-inventors of such invention.

7. I am the sole inventor of the subject matter disclosed in the Article.

8. I am the sole inventor of the subject matter described and claimed in Application Serial No. 07/202,869, filed June 3, 1988. I conceived the invention and gave instructions for its reduction to practice.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: AUG. 22, 1990 Julius S. Horoszewicz  
Julius S. Horoszewicz

CERTIFICATE UNDER 37 CFR 4.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 9-4-90  
(Date of Deposit)

Adriane Antler 32,605  
(Reg. No.)

9-4-90  
(Date of Signature)